

COMMENT SET 6

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Assembly California Legislature

HANNAH-BETH JACKSON
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March 11, 2004

Eric Gillies
State Lands Commission
100 Howe Ave., Suite 100-S
Sacramento, CA 95825

RE: Revised DEIR for PRC-421 Pier Removal Project

Dear Mr. Gillies:

I would like to provide the following comments on the Draft Environmental Impact Report for the revised PRC-421 Pier Removal Project. The project proposes to replace an old ARCO oil pier with a bird roosting structure in lieu of the original proposal for full removal of the pier.

I understand that the intent of the revised project is to avoid the significant unavoidable adverse impacts to marine birds, including the endangered California Brown Pelican, that would occur under the original project. However, as a longtime protector of our coast, I am reluctant to allow any structure that was used for oil or gas development to remain in the ocean past its useful life. In general, leaving such debris behind is detrimental to the marine environment. It is precisely for this reason that permits for oil and gas development require the complete removal of such structures.

I appreciate the input that the California Department of Fish and Game has had in this project to ensure that the new roosting platform is designed so that it will attract birds, just as the old structure does now. However, we cannot be assured about the success of this structure, with regards to roosting, until it is completed. I would, therefore, like to request that the EIR include a monitoring program to determine, over the long term, whether the new platform meets the objectives of the project. The EIR should further consider what the potential options are if it is found that the structure does not become a viable roosting ground for the Brown Pelican. I believe one of those options should be the removal of the structure and returning of the area to its natural state.

The project also calls for a hard bottom substrate at the base of the platform, which the EIR indicates could be useful to marine organisms. I am concerned about the precedent this could set in terms of artificial reefs, and I request that the EIR analyze whether the plan is consistent with existing

6-1

6-2



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state guidelines for artificial reefs as set by the Department of Fish and Game.

6-2

In conclusion, I want to express my concern that the proposed bird roosting structure, which includes caissons from the original oil development, represents a fine line between a useful roosting spot for marine birds and simply debris.

Thank you for the opportunity to comment and I look forward to receiving a copy of the final EIR.

Sincerely,

A handwritten signature in black ink that reads "Hannah-Beth Jackson". The signature is fluid and cursive, with the first name and last name clearly legible.

Hannah-Beth Jackson
Assemblymember, 35th District

HBJ/jcr
E8b

Commenting Party: Assembly California Legislature, Hannah-Beth Jackson Assembly-member, 35th District

Date of Comment(s): March 11, 2004

Responses to Comment(s):

- 6-1. Staff of the California Department of Fish and Game (CDFG), with whom the proposed roosting/nesting platforms have been designed, estimate that marine birds should be expected to adapt to the new structures within three to four years. The proposed lease to CDFG will provide for monitoring during this period and a process to re-evaluate the success of the structures at the end of the evaluation period. The extent of potential modification or removal would be determined on this evaluation.
- 6-2. The CSLC is working with the CDFG to slightly modify the current design of the proposed hard bottom substrate to ensure that its design and construction are consistent with the appropriate CDFG guidelines.